

*TPW*

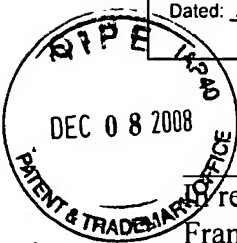
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Office of Initial Patent Examination's Filing Receipt Corrections, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 12/4/08

Signature: *Valerie J. Sarosky*

(Valerie J. Sarosky)

Docket No.: BIDM-P01-015  
(PATENT)



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re Patent Application of:  
Frangioni et al.

Application No.: 10/579,613

Confirmation No.: 3557

Filed: July 14, 2008

Art Unit: 2884

For: SERUM ALBUMIN CONJUGATED TO  
FLUORESCENT SUBSTANCES FOR  
IMAGING

Examiner: Not Yet Assigned

**REQUEST FOR CORRECTED FILING RECEIPT**

Office of Initial Patent Examination's Filing Receipt Corrections  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby requests that a corrected Filing Receipt be issued in the above-identified patent application. The official Filing Receipt received by Applicant, a copy of which is attached hereto, has an error in

**Domestic Priority data as claimed by applicant**

Please correct the domestic priority information from "This application is a 371 of PCT/US04/38682 11/17/2004" to correctly read --This application is a 371 of PCT/US04/38682 11/17/2004 which claims benefit of 60/523,059 11/18/2003 and claims benefit of 60/608,267 09/09/2004--.

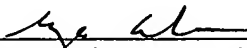
The domestic priority information was listed correctly on all papers that were submitted to the Patent Office with the Application on July 14, 2008, which included the Application Data Sheet (a copy of which is attached hereto).

Applicant additionally requests that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect this correction, including the Bibliographic Data listed in PAIR for this application.

Applicant believes no fee is due with this request. However, if a fee is due, please charge our Deposit Account No. 18-1945, under Order No. BIDM-P01-015 from which the undersigned is authorized to draw.

Dated: December 4, 2008

Respectfully submitted,

By   
Maya Escobar, J.D., Ph.D.  
Registration No.: 56,346  
ROPES & GRAY LLP  
One International Place  
Boston, Massachusetts 02110  
(617) 951-7000  
(617) 951-7050 (Fax)  
Attorneys/Agents For Applicant



# COPY

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
10/579,613	07/14/2008	2884	1145	BIDM-P01-015	25	3

CONFIRMATION NO. 3557

28120  
ROPES & GRAY LLP  
PATENT DOCKETING 39/41  
ONE INTERNATIONAL PLACE  
BOSTON, MA 02110-2624

### RECEIVED

FILING RECEIPT

SEP 10 2008



ROPES & GRAY LLP - IP DOCKETING  
REFERRED TO \_\_\_\_\_  
NOTED BY \_\_\_\_\_

Date Mailed: 09/05/2008

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

#### Applicant(s)

John V. Frangioni, Wayland, MA;  
Shunsuke Onishi, Osaka, JAPAN;

#### Assignment For Published Patent Application

Beth Israel Deaconess Medical Center, Boston, MA

Power of Attorney: The patent practitioners associated with Customer Number 28120

#### Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US04/38682 11/17/2004

Foreign Applications *which claims benefit of 60/523059 11/18/2003*  
*and claims benefit of 60/608267 09/09/2004*  
~~UNITED STATES OF AMERICA 60/523059 11/18/2003~~  
~~UNITED STATES OF AMERICA 60/608267 09/09/2004~~

If Required, Foreign Filing License Granted: 09/03/2008

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 10/579,613**

Projected Publication Date: 12/18/2008

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

**Title**

Serum Albumin Conjugated to Fluorescent Substances for Imaging

**Preliminary Class**

250

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

**LICENSE FOR FOREIGN FILING UNDER**

**Title 35, United States Code, Section 184**

**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as

set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



 **COPY**

## Application Data Sheet

### Application Information

Application Type::	Regular
Subject Matter::	Utility
Suggested Group Art Unit::	N/A
CD-ROM or CD-R?::	None
Sequence submission?::	None
Computer Readable Form (CRF)?::	No
Title::	SERUM ALBUMIN CONJUGATED TO FLUORESCENT SUBSTANCES FOR IMAGING
Attorney Docket Number::	BIDM-P01-015
Request for Early Publication?::	No
Request for Non-Publication?::	No
Suggested Drawing Figure::	1
Total Drawing Sheets::	9
Small Entity?::	Yes
Petition included?::	No
Secrecy Order in Parent Appl.?::	No

### Applicant Information

Applicant Authority Type::	Inventor
Primary Citizenship Country::	US
Status::	Full Capacity
Given Name::	John
Middle Name::	V.
Family Name::	Frangioni
City of Residence::	Wayland
State or Province of Residence::	MA
Country of Residence::	US
Street of mailing address::	34 Wayland Hills Road

City of mailing address:: Wayland

State or Province of mailing address:: MA

Postal or Zip Code of mailing address:: 01778

Applicant Authority Type:: Inventor

Primary Citizenship Country:: US

Status:: Full Capacity

Given Name:: Shunsuke

Family Name:: Onishi

City of Residence:: Brookline

State or Province of Residence:: MA

Country of Residence:: US

Street of mailing address:: 1731 Beacon Street

#1413

City of mailing address:: Brookline

State or Province of mailing address:: MA

Postal or Zip Code of mailing address:: 02445

### **Correspondence Information**

Correspondence Customer Number:: 28120

### **Representative Information**

Representative Customer Number:: 28120

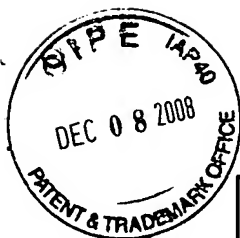
**Domestic Priority Information**

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This Application	National Stage of	US04/038682	11/17/04
US04/038682	An application claiming the benefit under 35 USC 119(e)	60/523059	11/18/03
US04/038682	An application claiming the benefit under 35 USC 119(e)	60/608267	09/09/04

**Foreign Priority Information****Assignee Information**

Assignee name:: Beth Israel Deaconess Medical Center  
Street of mailing address:: 330 Brookline Avenue  
City of mailing address:: Boston  
State or Province of mailing address:: MA  
Postal or Zip Code of mailing address:: 02215





Application No. (if known): 10/579,613

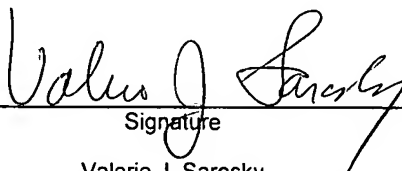
Attorney Docket No.: BIDM-P01-015

## Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Office of Initial Patent Examination's Filing Receipt Corrections  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on December 4, 2008  
Date

  
Signature

Valerie J. Sarosky

Typed or printed name of person signing Certificate

Registration Number, if applicable

(617) 854-2087  
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Request for Corrected Filing Receipt (2 pages)  
Copy of Filing Receipt marked to show changes (3 pages)  
Copy of original Application Data Sheet as filed (3 pages)  
Return receipt postcard